

BEFORE THE SOUTH CAROLINA BOARD OF EDUCATION

In the Matter of the)	
)	
Suspension of the Educator)	ORDER OF SUSPENSION
)	
Certificate of Cody L. Carlton)	
)	
Certificate 190964)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 8, 2005. On January 31, 2005, the State Department of Education (Department) served Mr. Cody L. Carlton a notice of his right to a due process hearing regarding the possible suspension of his South Carolina educator certificate by process server. Mr. Carlton did not request a hearing within the time frame specified within the notice letter. After considering the evidence presented by the Department, the State Board voted to suspend Mr. Carlton's certificate until he repays his outstanding loan with the State of South Carolina obtained through the Center for Teacher Education, Recruitment, Retention and Advancement (CERRA).

FINDINGS OF FACT

Mr. Carlton holds a valid certificate, with over four years of teaching experience. On August 25, 2000, Mr. Carlton signed a promissory note with the State of South Carolina to obtain a loan of \$2300 to pay for the costs of applying for certification from the National Board for Professional Teaching Standards (NBPTS). One of the terms of that agreement was that Mr. Carlton agreed to repay the \$300 non-refundable application fee if he withdrew from the NBPTS application process prior to the submission of the required portfolio. Mr. Carlton did withdraw prior to that date and has not repaid the \$300. CERRA and the State Department of Education sent several letters to Mr. Carlton informing him

that the \$300 was now due and of the consequences for failing to repay the amount due.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is substantial evidence supporting its decision to suspend Mr. Carlton's certificate 190964 from the date of this Order until he has satisfied his financial obligation in the amount of \$300 to the State of South Carolina, as established in the loan agreement referenced above. At the end of the suspension period, if Mr. Carlton wishes to have his certificate reinstated, he may make a written request for reinstatement to the Office of Teacher Certification of the Department of Education.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester

Chair

Columbia, South Carolina
March 8, 2005